

REMARKS

Responsive to the Examiner's objections to the abstract, the applicant submits herewith a new abstract in which the word "of" has been removed. The applicant submits that this now overcomes the Examiner's objection.

The Examiner has objected to claim 1 as being anticipated by PCT International Publication No. W094/28687 to Yarwood. The Examiner has further objected that claim 1 is anticipated by US Patent Application Publication No. 2002/0107032 to Agness et al. The applicant submits herewith amended claim 1 and for the reasons submitted below respectfully disagrees that these references anticipate new claim 1.

Yarwood teaches a method and system for facilitating group calls in a cellular radio system. As indicated on page 2, line 5, Yarwood teaches a solution for calling all mobile units simultaneously (known as code "broadcast service") or for one mobile unit to call all others (an "all - informed" service).

The Examiner has indicated that page 5 lines 25 to page 6, line 4; page 8, lines 1 to 12 and page 14, line 10 to page 15 line 5 show the method of claim 1. However, the applicant respectfully submits that page 5, line 25 to page 6 line 4 teaches a method for the prevention of collisions on a broadcast channel by inhibiting the transmission from the unit to the broadcast channel if other traffic is detected on the channel. Nothing within these lines teaches the selective blocking during the emergency call attempt. Further, the message being blocked is an originating message to the broadcast channel, rather than a response to a "non-voice service request" as required by claim 1.

Page 8, lines 1 to 12 teaches a way of establishing broadcast calls which indicates that any point calls may be terminated automatically. This is again, however, different from blocking non-voice service requests from the network at the mobile station during an emergency call attempt. The lines in the Yarwood reference teach interruption of current calls rather than the ignoring of non-voice service calls during an emergency call completion.

Page 14, line 10 to page 15, line 5, teaches the same system as above except that it is initiated from the mobile station. Transmission is again inhibited in order to avoid collisions on the

channel. The applicant submits that this is different than blocking incoming calls during an emergency call attempt as required by claim 1.

Further, the applicant has now amended claim 1 to add the content of claim 2. The Examiner has indicated that the subject matter of claim 2 would have been anticipated by page 5, lines 31 to 35, page 11, line 17 to page 12 line 3 and page 14 line 10 to page 15 line 5. Pages 5, lines 31 to 35 and page 14, line 10 to page 15 line 5 were addressed above. None of these lines teach the blocking of an acknowledgement message from the mobile station to the network. Rather, they teach the blocking of a transmission until data traffic on a channel has subsided, thereby avoiding collisions. The applicant submits that this is distinct from what is claimed in new claim 1.

Referring to page 11, line 17 to page 12, line 3 teaches the allocation of channels for use by the broadcast service. Once physical channels have been determined, the base station sets up the connection to a mobile switching center, this creates a conference bridge.

While page 12, lines 1 to 3 teach that mobiles have transmitters disabled while the service is running, the applicant submits this is also distinct from the present application. Specifically, the mobile in the present case will have its transmitter working since it is required for the emergency call. Only the non-service requests are blocked. This is distinct from having a transmitter disabled.

Based on the above, the applicant submits that new claim 1 is neither taught nor suggested by Yarwood, and thus cannot be anticipated by this reference.

The Examiner has further objected that claim 1 is anticipated by Agness. Agness teaches a apparatus and method for blocking communications depending on the location of the mobile device. As indicated in the abstract, if a user is in a transmission inhibit location as stored in a database, then various calls from the mobile device are inhibited. The exception to this is in case of an emergency call, which will be let through. The Examiner has pointed to paragraphs 10 to 11, 19 to 22 and 73 as showing this. However, the applicant submits that amended claim 1 is neither taught nor suggested by these paragraphs.

Specifically, paragraphs 10 and 11 merely indicated that cellphone calls are blocked in

restricted locations and that GPS location can be further utilized in emergency call situations. However, nothing within these paragraphs teaches monitoring whether the mobile station has received a non-voice service request from the network and, if yes, ignoring the non-voice service request by blocking an acknowledgement message from the mobile station to the network.

Further, paragraphs 19 to 22 indicate that "each **cell base station communications server** includes monitoring and control software (MCS). When a cell communication server processes a request for a call, the MCS intercepts the cell phone control signal header information and analyses it for cell phone condition, GPS location, HFA indicator signal bit presence....."

Cell phone calls placed to or from the highway location, or with another location in the restricted database is rejected and an inhibit message is broadcast before disconnect.

The above therefore indicates that inhibition occurs at the cell base station communications server, and in particular by the monitoring and control software (MCS).

The above paragraphs outline a system that is not meant for enhancing the probability of successful emergency call completion. Further, everything is done at the network rather than at the mobile station, as required by amended claim 1. Specifically, amended claim 1 requires "blocking an acknowledgement message from the mobile station to the network". The applicant submits that by providing the call blocking on the mobile station, coordination between network operators is not required, and the mobile station manufacturer can provide the advantage of the present application without these network operators.

Paragraph 73 further teaches control circuitry located at the cell base station communications server. Thus, this is not at the mobile station and is distinct from the claimed method.

Based on the foregoing, the applicant submits that claim 1 is neither taught nor suggested by Yarwood, nor Agness, and thus cannot be anticipated by either reference. Further, nothing within these references, either alone or in combination, would teach amended claim 1.

Claims 3 to 8 depend from claim 1, for the reasons submitted above, the applicant submits they are distinct from the cited references.

Amended claim 9 has now added the subject matter of claim 10.

Claim 9 teaches a method of enhancing the probability of successful emergency callback. Neither Yarwood nor Agness introduces the concept of emergency callback. Further, the step of ignoring a service request including blocking an acknowledgement message from the mobile station to the network, as presented above with reference to claim 1, is neither taught nor suggested by these references and the applicant therefore submits that this claim is neither anticipated, nor obvious based on the references.

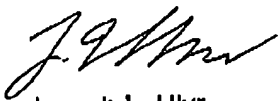
Regarding claim 15, this requires an emergency service module on a mobile station, said emergency service module communicating with both a digital signal processor and a micro processor, wherein during emergency call attempt or a callback, said emergency service module directs said micro processor to ignore non-voice requests from said network. For the reasons submitted above with reference to the methods of claims 1 and 9, nothing within Yarwood nor Agness teaches a module on the mobile station that directs a microprocessor to ignore non-voice requests from the network. Yarwood merely teaches a module for blocking to ensure that collisions do not occur when a traffic channel is already busy. This neither requires nor suggests that anything special is performed during an emergency call attempt or callback. Further, the applicant submits that the module is distinct from that of a traffic blocking module on Yarwood.

In Agness, the blocking module is at the network and is not introduced to enhance the probability of an emergency call completion.

Based on the foregoing submissions and amendments, the applicant submits that the application now overcomes the references cited and reconsideration leading to allowance is respectfully urged.

Respectfully submitted,

MOFFAT & CO.



Joseph L. Ulvr
Registration No. 57696

JLU:jh Encl. 132718